

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

In the Matter of)
)
MULTIBAND COMMUNICATIONS, LLC)
Domestic Section 214 Licensee and)
Transferor)
)
and)
)
TRANSARIA, INC.)
Transferee)
)
Application for Consent to Transfer of Control)
of Domestic Section 214 Authority)
)

File No. _____

WC Docket No. 04-143

**APPLICATION FOR CONSENT TO TRANSFER OF CONTROL
 OF DOMESTIC SECTION 214 AUTHORITY**

Pursuant to the provisions of Part 63 of the Rules and Regulations of the Federal Communications Commission ("FCC" or "Commission"), MultiBand Communications, LLC ("MultiBand") and TransAria, Inc. ("TransAria") hereby submit this application for consent to transfer of control of the authority granted to MultiBand under Section 214 of the Communications Act to provide domestic resold and facilities-based telecommunications services. 47 C.F.R. §§ 63.01, 63.04. The applicants seek streamlined processing of this application for transfer of control.

I. INTRODUCTION

MultiBand provides DSL service through a combination of its own facilities and unbundled network elements. Its equipment is located in Qwest central offices. In

conjunction with its DSL service, MultiBand provides broadband and dial-up Internet access service throughout the state of Montana. MultiBand relies on the blanket Domestic Section 214 Authority granted pursuant to Section 63.01 of the FCC's rules ¹

Under the proposed transaction, MultiBand will merge into a wholly owned subsidiary of TransAria, Inc., with MultiBand surviving as a wholly owned subsidiary of TransAria. All of the equity holders of MultiBand (in this case, the members of the LLC) will receive shares of Common Stock of TransAria in exchange for their equity interests in MultiBand. There will be no interruption of services to the public as a result of the proposed sale.

II. DOMESTIC SECTION 214 AUTHORITY

In accordance with Section 63.04 of the FCC's rules, the applicants provide the following information:

- (1) *The name, address and telephone number of each applicant,*

Licensee/Transferor

MultiBand Communications, LLC
2325 Birdie Drive
Bozeman, Montana 59715
406-587-5353

Transferee

TransAria, Inc.
7330 Shedhorn Drive
Bozeman, Montana 59718
406-556-1700

¹ MultiBand does not provide international services.

- (2) *The government, state, or territory under the laws of which each corporate or partnership applicant is organized,*

MultiBand Communications, LLC is a limited liability company organized under the laws of Delaware

TransAria, Inc is a C-Corp organized under the laws of Delaware.

- (3) *The name, title, post office address, and telephone number of the officer or contact point (such as legal counsel), to whom correspondence concerning the application is to be addressed,*

Katherine Lucas
Legal Counsel
Keller and Heckman LLP
1001 G Street, NW Suite 500W
Washington, DC 20001
202-434-4184

- (4) *Name, address, citizenship and principal business of any person or entity that directly or indirectly owns at least 10% of equity of the applicant, and the percentage of equity owned by each of those persons/entities;*

TransAria, Inc..

Roger Lang
7330 Shedhorn Drive
Bozeman, Montana 59718
United States citizen
Chairman of TransAria, Inc
51.4% owner of TransAria, Inc. equity

MultiBand Communications, LLC

Tim Dodge
521 N Rouse
Bozeman, Montana 59715
United States citizen
President of MultiBand Communications, LLC
14.0% owner of MultiBand Communications, LLC

Eric Rublein
P O Box 10961
Bozeman, Montana 59719
United States citizen
CEO of MultiBand Communications, LLC
14.0% owner of MultiBand Communications, LLC

Penelope Wilson
1371 N Valley Road
Malvern, Pennsylvania 19355
United States citizen
Private Investor
56.0% owner of MultiBand Communications, LLC

- (5) *The applicants must certify that no party to the application is subject to a denial of federal benefits pursuant to § 5301 of the Anti-Drug Abuse Act of 1988*

MultiBand Communications, LLC certifies that it is not subject to denial of federal benefits pursuant to § 5301 of the Anti-Drug Abuse Act of 1988.

TransAria, Inc. certifies that it is not subject to denial of federal benefits pursuant to § 5301 of the Anti-Drug Abuse Act of 1988

- (6) *Description of the transaction,*

MultiBand will enter into a transaction in which it will merge into a wholly owned subsidiary of TransAria, with MultiBand surviving as a wholly owned subsidiary of TransAria. All of the equity holders of MultiBand (in this case, the members of the LLC) will receive shares of Common Stock of TransAria in exchange for their equity interests in MultiBand.

- (7) *Description of the geographic areas in which the transferor and transferee (and their affiliates) offer domestic telecommunications services, and what services are provided in each area,*

MultiBand is a broadband and dial-up Internet service provider with approximately 2,100 customers in Montana. MultiBand operates wireless distribution points in 2 markets (Bozeman and Missoula). MultiBand also provides DSL to these markets through its' own facilities based equipment in Qwest central offices. MultiBand's dial-up service is available statewide with approximately 1,000 customers. MultiBand also provides additional services

such as web-hosting, collocation, network integration, and on-site computer repair

TransAria is a broadband services provider with approximately 170 customers in Montana and 450 customers in Alaska. TransAria operates wireless distribution points in 8 markets in Montana (Bozeman, Butte, Billings, Livingston, Missoula, Great Falls, Helena, and Kalispell) and 1 market in Alaska (Fairbanks).

TransAria also provides wireless cable television service to approximately 2,800 customers in Fairbanks, Alaska. TransAria provides broadband service via wireless and DSL in addition to providing web hosting, co-location and network management services.

- (8) *Statement as to how the application fits into one or more of the presumptive streamlined categories or is appropriate for streamlined treatment,*

The applicants assert that the application for transfer of control is eligible for presumptive streamlined processing pursuant to Section 63.03(b)(2)(i) of the FCC's rules. Neither of the applicants is a dominant carrier with respect to any service provided by the applicants.

- (9) *Identification of any other FCC applications filed in connection with the same transaction;*

MultiBand and TransAria have filed no other applications in connection with the proposed transaction.

- (10) *Statement of whether the applicants are requesting special consideration because either party to the transaction is facing imminent business failure;*

MultiBand, LLC is not requesting special consideration, as it is not facing imminent business failure.

TransAria, Inc. is not requesting special consideration, as it is not facing imminent business failure.

- (11) *Identification of any separately-filed waiver requests;*

Not applicable

- (12) *Statement of how the grant of the transfer of control application will serve the public interest, convenience and necessity, including any additional information that may be necessary to show the effect of the proposed transaction on competition in domestic markets*

The applicants submit that the proposed transaction will serve the public interest. The Transferee is a broadband services provider, and the transfer of control will enhance the Licensee's ability to provide broadband and ISP service to customers in the state of Montana. The proposed transaction will not harm competition, neither the Licensee nor the Transferee is a dominant carrier in any of the markets served

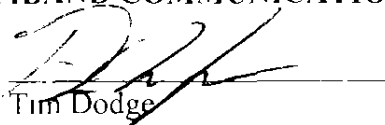
III. CONCLUSION

In view of the foregoing, MultiBand Communications, LLC and TransAria, Inc. submit that a favorable response to the requested action will serve the public interest, convenience and necessity

Respectfully submitted,

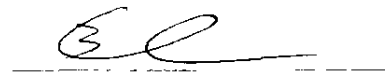
MULTIBAND COMMUNICATIONS, LLC

By


Tim Dodge
President

TRANSARIA, INC.

By


Bruce Orem
Vice President of Finance

Dated

2/11/2002